

**2. RESPONSE/REMARKS**

**2.1 STATUS OF THE CLAIMS**

*Claims 1-5, 7-31, 35, and 39-42 were pending at the time of the Action, and examined on the merits.*

*Claims 17-21, 24-31, 39, 41, and 42 were allowed.*

*Claim 15 has been canceled herein without prejudice or disclaimer.*

*Claims 1-3, 14, 16, 22-23, 35, and 40 have been amended herein.*

*Claims 1-5, 7-14, 16-31, 35, and 39-42 remain pending in the application, and are now in condition for allowance.*

**2.2 SUPPORT FOR THE AMENDMENT**

The pending claims are fully supported by the original specification and claims as filed. Applicants certify that no new matter is included by entry of the present amendment. Support for the newly-amended claims can be found throughout the original specification and claims, and as further discussed below. Should any fee be due for entry of the new claims, or any additional fees for the claims now presented in independent form, Applicants hereby authorize the Office to debit the Deposit account listed above.

**2.3 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 102(B) IS OVERCOME.**

*The Action at page 3 rejects claims 1, 3, 7, 8, 14 and 22 under 35 U. S. C. § 102(b), allegedly as being anticipated by Johnson et al. (J. Peptide Sci., 1:11-25, 1995; hereinafter "Johnson").*

Applicants respectfully traverse; however, solely in an effort to advance particular claims of

interest to immediate allowance, Applicants have amended independent claims 1, 3, 14, and 22 based upon the helpful suggestions of the Examiner, such that each and every element of the recited claims is not taught by Johnson. Consequently, claims 7 and 8, which depend from amended claim 1, are also now patentable over Johnson. As such, Applicants believe the rejection over Johnson is overcome with respect to all pending claims, and now respectfully requests that it be withdrawn.

## **2.4 CLAIM OBJECTIONS**

*The Action at page 4 objects to claims 2, 4, 5, 9-13, 15, 16, 23, 35, and 40, as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.*

Applicants respectfully traverse; however, solely in an effort to advance particular claims of interest to immediate allowance, Applicants have rewritten the claims based upon the helpful suggestions of the Examiner to overcome these objections.

Independent claim 1 has been amended to incorporate the feature of claim 16; as such the amended claim is now in condition for allowance. Consequently, dependent claims 9-13, are also now in condition for allowance.

Claims 2 and 3 have been rewritten in independent form to incorporate the features recited in claim 1; as such, the amended claims are now in condition for allowance. Consequently, dependent claim 5 is also now in condition for allowance.

Claim 14 has been amended to incorporate the feature of claim 15; as such the amended claim is now in condition for allowance.

Claim 16 has been rewritten in independent form to incorporate the feature of claim 1; as such the amended claim is now in condition for allowance.

Claim 23 has been rewritten in independent form to incorporate the features recited in claims 17 and 21; as such, the amended claim is now in condition for allowance.

Claim 35 has been rewritten in independent form to incorporate the features recited in amended claim 14 and claim 15; as such, the amended claim is now in condition for allowance.

Claim 40 has been rewritten in independent form to incorporate the features recited in amended claim 22; as such, the amended claim is now in condition for allowance.

In view of the accompanying amendment, Applicants respectfully request, therefore, that the objections to all claims now be withdrawn.

## **2.5 CONCLUSION**

It is respectfully submitted that the pending claims are definite, fully enabled, and free of the cited prior art. Applicants also believe that the inventions embodied in these claims are useful, novel, and non-obvious.

Applicants note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing/divisional application(s) retaining the priority claim from the present and parent cases. Should Examiner Kam have any questions, a telephone call to the Applicants' undersigned representative would be sincerely appreciated.

Respectfully submitted,

September 10, 2009

Date



Mark D. Moore, Ph.D. (Reg. No. 42,903)

**HAYNES AND BOONE, LLP**

**Customer No. 27683**

Phone: 713-547-2040

Fax: 214-200-0853

36677.8  
H:791815v1

**Certificate of Service**

I hereby certify that this correspondence is being  
filed with the United States Patent and Trademark  
Office via EFS-Web on September 10, 2009

  
Marty Miles